

### REMARKS

The Examiner rejected claims 15-26 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The Applicants respectfully disagree. Nevertheless, to expedite prosecution, the Specification has been amended to address the concerns raised by the Office Action. As such, Applicant respectfully requests that this rejection be withdrawn.

The Examiner rejected claims 1, 2, 4-9, 11-12, 39 under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Groos III et al. (US 2002/00246446). The Applicant respectfully disagrees. The Examiner equates the data communication file in claim 1 with the web page file in Kent. However, the web page file in Kent is not derived from database data in a proprietary format. As such, it does not provide the advantage of the present application - namely the ability to exchange media between different application programs having proprietary formats not readable by the other application program. Claim 1 has been amended to make this distinction more clear. Specifically, claim 1 has been amended to indicate that the database data is in a proprietary format.

Likewise, Groos fails to remedy this defect in Kent. First, Groos does not teach any sort of derivation of a data communication file from database data. In the Office Action, the Examiner states that a combination of Groos and Kent would result in a system where "the web page displayed to the user would be derived from the database data because the web page displayed would differ based on whether the user was successfully authenticated. Authenticated users would see the pages in Figs. 19.1 or 19.2. Unauthenticated users would not.... Both sets of information are derived from the database data in the sense that the authentication system controls what information the user sees." Applicant respectfully points to the additional language in claim 1, which states "such that data internal to the data communication file is acquired from the database data. This phrase clarifies what is meant by derivation and excludes the example provided in the Office Action. Namely, in order to meet the elements of the claim, the data communication file must have some internal information that was acquired from the database data." It is not enough that the file have been generated after looking at database data, as the Office Action suggests. The data communication file must actually contain some information that was acquired from the database data." As such,

the example in the Office Action does not apply. Unauthenticated users do not see any information from the database data.

Furthermore, Groos does not teach that the database data is in a proprietary format not understood by the second application program. Specifically, once a user is authenticated, it appears clear that the user of the second application program (the web application) can download any of the files on the list of files that is returned, and execute those files. There is nothing in Groos to suggest that these files are not understood by the second application program, nor any discussion of how to remedy the inherent problems should proprietary file formats be used.

As such, Applicant respectfully submits that claim 1 as amended is in condition for allowance.

The Examiner rejected claim 42 under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Gross III et al. (US 2002/00246446).

The Examiner rejected claims 3, 13-14, 40 under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Gross III et al. (US 2002/00246446) and further view of Griner (U.S. 6,614,729).

The Examiner rejected claims 15, 17-19, 21-22, 26 under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Carter et al. (U.S. 5,987,506).

The Examiner rejected claims 16, 23-25 under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Carter et al. (U.S. 5,987,506) as applied above to claim 15 and further in view of Carter et al., (U.S. 5,987,506).

The Examiner rejected claim 20 under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Carter et al. (U.S. 5,987,506) as

applied above to claim 15 and further in view of Carter et al., (U.S. 5,987,506).

The Examiner rejected claims 27-31, 33-35 under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Griner (U.S. 6,614,729).

The Examiner rejected claim 37 under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Griner (U.S. 6,614,729) as applied to claim 27 above, and further in view of Book.

The Examiner rejected claims 36 and 37 under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Griner (U.S. 6,614,729) as applied to claim 27 above, and further in view of Kronick (Netscape Navigator)..


The Examiner rejected claim 38 under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Griner (U.S. 6,614,729) as applied to claim 27 above, and further in view of Buswell (U.S. 6,836,885).

As to independent claims 15 and 27, these claims contain elements similar to that as described above with respect to claim 1. As such, Applicant respectfully submits that these claims are in condition for allowance for the same reason as claim 1.

Dependent claims 2-14, 16-26, and 28-38 are also patentably distinct from the cited references for at least the same reasons as those recited above for the independent claim, upon which they ultimately depend. These dependent claims recite additional limitations that further distinguish these dependent claims from the cited references. For at least these reasons, these claims are not anticipated or made obvious by the prior art cited in the Office Action.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP



Marc S. Hanish  
Reg. No. 42,626

P.O. Box 70250  
Oakland, CA 94612-0250  
650-961-8300